

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 2/18/09

----- x
CHRISTOPHER KATKE & MICHAEL ANGEL, :

Plaintiffs, :

-against- :

SURFACE PUBLISHING LLC d/b/a SURFACE
MAGAZINE, MILLENNIUM IMPORT, LLC
& MOET HENNESSY USA, INC., :

Defendants. :

08 Civ. 8040 (GEL) (AJP)

ORDER OF DISMISSAL ON CONSENT

----- x
ANDREW J. PECK, United States Magistrate Judge:

Based on the settlement agreement reached by all parties and transcribed by the court reporter on February 18, 2009, and on the stipulation of the parties pursuant to 28 U.S.C. §636(c), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, the Court retains jurisdiction (through December 31, 2009) pursuant to the terms of the settlement agreement, to enforce the settlement agreement. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York
February 18, 2009



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Diane McFadin, Esq.
David L. Wallace, Esq.
James M. Ringer, Esq.
Judge Gerard E. Lynch

CAORD\DISMISS